

Railroad Retirement Board

§ 218.26

(2) *Full-age annuity*. The earliest date permitted by law is the latest of—

- (i) The month shown in paragraph (b)(1) of this section;
- (ii) The first day of the month in which the claimant attains age 65; or
- (iii) The first day of the sixth month before the month in which the application is filed.

(3) *Reduced age annuity*. The earliest date permitted by law is the latest of—

- (i) The month shown in paragraph (b)(1) of this section;
- (ii) The first day of the month in which the claimant attains age 60; or
- (iii) The first day of the month in which the application is filed or the first day of the month preceding the month in which the application is filed if the employee died in that preceding month.

(4) *Disability annuity*. The earliest date permitted by law is the latest of—

- (i) The month shown in paragraph (b)(1) of this section;
- (ii) The first day of the month in which the claimant attains age 50;
- (iii) The first day of the twelfth month before the month in which the application is filed; or
- (iv) The first day of the sixth month after the month of disability onset.

(5) *“Child in care” annuity*. The earliest date permitted by law is the latest of—

- (i) The month shown in paragraph (b)(1) of this section; or
- (ii) The first day of the sixth month before the month in which the application is filed.

§ 218.17 When a remarried widow(er) annuity begins.

(a) A remarried widow(er) annuity begins on the later of either the date chosen by the applicant or the earliest date permitted by law.

(b) *Earliest date permitted by law*—(1) *General rules*. The earliest date permitted by law is the later of—

- (i) The first day of the month in which the employee dies; or
- (ii) The first day of the month in which the claimant becomes eligible for a remarried widow(er) annuity as shown in part 216 of this chapter.

(2) *Full-age annuity*. The earliest date permitted by law is the latest of—

(i) The month shown in paragraph (b)(1) of this section;

(ii) The first day of the month in which the claimant attains age 65; or

(iii) The first day of the sixth month before the month in which the application is filed.

(3) *Reduced-age annuity*. The earliest date permitted by law is the latest of—

(i) The month shown in paragraph (b)(1) of this section;

(ii) The first day of the month in which the claimant attains age 60; or

(iii) The first day of the month in which the application is filed or the first day of the month preceding the month in which the application is filed if the employee died in that preceding month.

(4) *Disability annuity*. The earliest date permitted by law is the latest of—

(i) The month shown in paragraph (b)(1) of this section;

(ii) The first day of the month in which the claimant attains age 50;

(iii) The first day of the twelfth month before the month in which the application is filed; or

(iv) The first day of the sixth month after the month of disability onset.

(5) *“Child in care” annuity*. The earliest date permitted by law is the latest of—

(i) The month shown in paragraph (b)(1) of this section; or

(ii) The first day of the sixth month before the month in which the application is filed.

Subpart C—How Work and Special Payments Affect an Employee, Spouse, or Divorced Spouse Annuity Beginning Date

§ 218.25 Introduction.

The rules in this subpart apply only to an employee, spouse, divorced spouse, and supplemental annuity. They do not apply to any type of survivor annuity.

§ 218.26 Work started after annuity beginning date.

(a) *General*. An annuity can begin only after an employee, spouse, or divorced spouse stops any work for a railroad employer. However, if the employee, spouse or divorced spouse